

# SENATE BILL 995

J1, E1

EMERGENCY BILL

2lr1236  
CF HB 1158

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By: **Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones-Rodwell, Kelley, King, Kittleman, Madaleno, Mathias, Montgomery, Peters, Pinsky, Pugh, Robey, Rosapepe, and Zirkin**

Introduced and read first time: February 16, 2012

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Medical Marijuana Oversight Commission**

3 FOR the purpose of making marijuana a Schedule II controlled dangerous substance;  
4 prohibiting certain persons from distributing or dispensing marijuana to certain  
5 persons; providing for a certain penalty; establishing an independent Medical  
6 Marijuana Oversight Commission; providing for the purpose and membership of  
7 the Commission; specifying the terms of the initial members of the Commission;  
8 providing for the appointment of a chair and vice chair of the Commission;  
9 providing that a member of the Commission may not receive certain  
10 compensation but is entitled to certain reimbursement; authorizing the  
11 Commission to employ a certain staff; requiring the Commission to consult with  
12 certain experts and to meet with a certain frequency; providing for the powers  
13 and duties of the Commission; authorizing the Commission to contract with  
14 certain entities; requiring the Commission to adopt certain regulations on or  
15 before a certain date; authorizing the Commission to suspend or revoke certain  
16 registrations; authorizing the Commission to inspect certain entities; requiring  
17 the Commission to approve certain certifications of certain physicians; requiring  
18 a physician certification to be renewed annually; requiring a certain proposal  
19 from a physician to the Commission to include certain information; encouraging  
20 the Commission to approve certain applications; exempting certain physicians  
21 from certain penalties for certain actions; requiring a certifying physician to  
22 submit a certain annual report to the Commission at a certain time; authorizing  
23 the Commission to set certain fees; authorizing an academic medical center to  
24 apply to the Commission to conduct certain research; requiring the Commission  
25 to approve certain applications for registration from academic medical centers;  
26 providing the expiration and renewal of proposal from a registered academic  
27 medical center; requiring a proposal from an academic medical center to include  
28 certain information; encouraging the Commission to approve certain  
29 applications from academic medical centers; requiring a registered academic

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 medical center to submit a certain annual report to the Commission at a certain  
2 time; requiring the Commission to issue a request for applications for  
3 registration as a grower; requiring the Commission to require an applicant for  
4 registration as a registered grower to provide certain information; requiring the  
5 Commission to approve the fewest number of registered growers as is  
6 reasonable; providing for the expiration and renewal of a registration as a  
7 registered grower; providing that a registered grower is exempt from certain  
8 State and local penalties for certain actions; requiring a registered grower to  
9 meet certain security and safety standards and submit to certain testing of  
10 certain marijuana; requiring a registered grower to conduct a certain  
11 background check on certain employees; prohibiting a registered grower from  
12 holding certain registrations or being a certifying physician; prohibiting certain  
13 individuals from being an employee of a registered grower unless the registered  
14 grower is also an academic medical center; requiring the Commission to adopt  
15 certain regulations after consulting with the Department of Agriculture and  
16 State Police; requiring the commission to establish certain fees; requiring the  
17 Commission to establish a registration program to register dispensing  
18 pharmacies, dispensing centers, and academic medical centers; requiring the  
19 Commission to require an applicant for dispensing center, dispensing pharmacy,  
20 or academic medical center registration to provide certain information to the  
21 Commission; requiring the Commission to charge certain fees for certain  
22 applications and for the issuance of certain registrations; providing that a  
23 registered academic center is not required to be registered as a dispensing  
24 center; requiring certain entities seeking to operate as a dispensing center to  
25 perform a certain criminal history records check on each employee; prohibiting  
26 certain individuals from obtaining a registration to operate a dispensing center  
27 or to be an employee of a dispensing center; requiring certain entities to require  
28 employees of the entity to submit to certain drug testing; requiring the  
29 Commission to issue a certain registration if certain conditions are met;  
30 authorizing the Commission to set reasonable limits on the number of  
31 dispensing centers in the State or in a geographic area; requiring the  
32 Commission to assign a certain identification number to certain entities;  
33 providing that a denial of a certain application shall be considered a final  
34 agency decision for a certain purpose; requiring entities that have been issued a  
35 certain registration to display the registration in a certain manner and to report  
36 certain changes to the Commission at a certain time; prohibiting entities that  
37 have been issued a certain registration from holding certain registrations or  
38 being a certifying physician; providing for certain restrictions on the  
39 advertisement of the sale of marijuana; requiring the Commission, in  
40 consultation with State and local law enforcement, to develop certain  
41 regulations providing for the issuance of registry identification cards; requiring  
42 the Commission to issue a registry identification card to certain patients;  
43 requiring a qualifying patient to submit certain information to the Commission;  
44 providing for the manner in which the Commission shall approve, deny, and  
45 issue a registry identification card; requiring the Commission to deny a request  
46 for a primary caregiver for certain reasons; requiring each applicant to serve as  
47 a primary caregiver to submit to a certain criminal history records check;

1 prohibiting certain individuals from serving as primary caregivers; requiring a  
2 registry identification card to include certain information; requiring a primary  
3 caregiver or qualifying patient to provide a certain notice to the Commission  
4 under certain circumstances within a certain time period; requiring a certifying  
5 physician or registered academic medical center to provide a certain notice to  
6 certain patients and the Commission under certain circumstances and within a  
7 certain time period; requiring the Commission to establish certain procedures  
8 and to maintain a certain list of individuals to whom the Commission has issued  
9 registry identification cards; prohibiting employees of State and local law  
10 enforcement from querying certain records; exempting certain persons from  
11 certain penalties when acting in accordance with this Act; providing that the  
12 possession of, or application for, a registry identification card does not constitute  
13 probable cause to conduct a certain search or inspection; providing that an  
14 individual may not be subject to certain arrest or prosecution for being in the  
15 presence or vicinity of the medical use of marijuana as authorized by this Act;  
16 authorizing certain entities to sell or distribute a certain amount of marijuana  
17 in a certain time to certain individuals under certain circumstances; requiring  
18 registered dispensing pharmacies and registered dispensing centers to follow  
19 certain procedures and maintain certain records; providing that a qualifying  
20 patient may be registered at only one registered dispensing pharmacy or  
21 registered dispensing center at any time; providing for the construction of this  
22 Act; providing that this Act may not be construed to provide certain immunity  
23 to certain persons; providing that this Act may not be construed to require  
24 certain insurance reimbursement; requiring the Commission to submit certain  
25 reports to the Governor and General Assembly on or before certain dates;  
26 authorizing the Commission to accept certain funds; requiring the Commission  
27 to use certain fees in a certain manner; authorizing the Commission to  
28 distribute certain funds to certain entities for a certain purpose; authorizing the  
29 Commission to provide certain funds to the General Fund; defining certain  
30 terms; making this Act an emergency measure; and generally relating to  
31 marijuana for medical use.

32 BY renumbering

33 Article – Criminal Law

34 Section 5–403(d), (e), and (f), respectively

35 to be Section 5–403(e), (f), and (g), respectively

36 Annotated Code of Maryland

37 (2002 Volume and 2011 Supplement)

38 BY repealing and reenacting, with amendments,

39 Article – Criminal Law

40 Section 5–402(d)(1)

41 Annotated Code of Maryland

42 (2002 Volume and 2011 Supplement)

43 BY adding to

44 Article – Criminal Law

1 Section 5–403(d) and 5–611  
 2 Annotated Code of Maryland  
 3 (2002 Volume and 2011 Supplement)

4 BY adding to  
 5 Article – Health – General  
 6 Section 13–3101 through 13–3116 to be under the new subtitle “Subtitle 31.  
 7 Medical Marijuana”  
 8 Annotated Code of Maryland  
 9 (2009 Replacement Volume and 2011 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 11 MARYLAND, That Section(s) 5–403(d), (e), and (f), respectively, of Article – Criminal  
 12 Law of the Annotated Code of Maryland be renumbered to be Section(s) 5–403(e), (f),  
 13 and (g), respectively.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the laws of Maryland read  
 15 as follows:

16 **Article – Criminal Law**

17 5–402.

18 (d) (1) A material, compound, mixture, or preparation that contains any of  
 19 the following hallucinogenic or hallucinogenic–like substances is a substance listed in  
 20 Schedule I:

- 21 (i) bufotenine;
- 22 (ii) diethyltryptamine;
- 23 (iii) dimethyltryptamine;
- 24 (iv) 4–methyl–2, 5–dimethoxyamphetamine;
- 25 (v) ibogaine;
- 26 (vi) lysergic acid diethylamide;
- 27 [(vii) marijuana;]
- 28 [(viii)] (VII) mescaline;
- 29 [(ix)] (VIII) peyote;
- 30 [(x)] (IX) psilocybin;

- 1 [(xi)] (X) psilocyn;
- 2 [(xii)] (XI) tetrahydrocannabinol;
- 3 [(xiii)] (XII) thiophene analog of phencyclidine;
- 4 [(xiv)] (XIII) 2, 5-dimethoxyamphetamine;
- 5 [(xv)] (XIV) 4-bromo-2, 5-dimethoxyamphetamine;
- 6 [(xvi)] (XV) 4-methoxyamphetamine;
- 7 [(xvii)] (XVI) 3, 4-methylenedioxyamphetamine;
- 8 [(xviii)] (XVII) 3, 4-methylenedioxymethamphetamine (MDMA);
- 9 [(xix)] (XVIII) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 10 [(xx)] (XIX) 3, 4, 5-trimethoxyamphetamine;
- 11 [(xxi)] (XX) N-methyl-3-piperidyl benzilate;
- 12 [(xxii)] (XXI) N-ethyl-3-piperidyl benzilate;
- 13 [(xxiii)] (XXII) N-ethyl-1-phenylcyclohexylamine;
- 14 [(xxiv)] (XXIII) 1-(1-phenylcyclohexyl)-pyrrolidine;
- 15 [(xxv)] (XXIV) 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
- 16 [(xxvi)] (XXV) 1-methyl-4-phenyl-4-propionoxypiperidine  
17 (MPPP); and
- 18 [(xxvii)] (XXVI) 1-(2-phenylethyl)-4-phenyl-4-  
19 acetyloxypiperidine (PEPAP).

20 5-403.

21 (D) A MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT  
22 CONTAINS MARIJUANA IS A SUBSTANCE LISTED IN SCHEDULE II.

23 5-611.

24 (A) AN INDIVIDUAL WHO IS EMPLOYED BY A DISPENSING PHARMACY OR  
25 A DISPENSING CENTER REGISTERED WITH THE MEDICAL MARIJUANA

1 **OVERSIGHT COMMISSION UNDER TITLE 13, SUBTITLE 31 OF THE HEALTH –**  
2 **GENERAL ARTICLE MAY NOT DISTRIBUTE OR DISPENSE MARIJUANA EXCEPT TO**  
3 **A REGISTERED QUALIFYING PATIENT OR A REGISTERED PRIMARY CAREGIVER.**

4 **(B) AN INDIVIDUAL WHO IS REGISTERED WITH THE MEDICAL**  
5 **MARIJUANA OVERSIGHT COMMISSION UNDER TITLE 13, SUBTITLE 31 OF THE**  
6 **HEALTH – GENERAL ARTICLE AS A QUALIFYING PATIENT OR A PATIENT’S**  
7 **PRIMARY CAREGIVER MAY NOT DISTRIBUTE OR DISPENSE MARIJUANA TO**  
8 **ANOTHER INDIVIDUAL WHO IS NOT A REGISTERED QUALIFYING PATIENT.**

9 **(C) AN ACADEMIC MEDICAL CENTER REGISTERED WITH THE MEDICAL**  
10 **MARIJUANA OVERSIGHT COMMISSION UNDER TITLE 13, SUBTITLE 31 OF THE**  
11 **HEALTH – GENERAL ARTICLE OR A CERTIFYING PHYSICIAN CERTIFIED BY THE**  
12 **MEDICAL MARIJUANA OVERSIGHT COMMISSION UNDER TITLE 13, SUBTITLE**  
13 **31 OF THE HEALTH – GENERAL ARTICLE MAY NOT DISTRIBUTE OR DISPENSE**  
14 **MARIJUANA TO ANOTHER INDIVIDUAL WHO IS NOT A REGISTERED QUALIFYING**  
15 **PATIENT OR A REGISTERED PRIMARY CAREGIVER.**

16 **(D) A PERSON WHO VIOLATES SUBSECTION (A), (B), OR (C) OF THIS**  
17 **SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO**  
18 **IMPRISONMENT NOT EXCEEDING 7 YEARS OR A FINE NOT EXCEEDING \$7,000 OR**  
19 **BOTH.**

20 **Article – Health – General**

21 **SUBTITLE 31. MEDICAL MARIJUANA.**

22 **13–3101.**

23 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
24 **INDICATED.**

25 **(B) “BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP” MEANS A**  
26 **RELATIONSHIP IN WHICH THE PHYSICIAN HAS ONGOING RESPONSIBILITY FOR**  
27 **THE ASSESSMENT, CARE, AND TREATMENT OF A PATIENT’S MEDICAL**  
28 **CONDITION.**

29 **(C) “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE**  
30 **INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF**  
31 **PUBLIC SAFETY AND CORRECTIONAL SERVICES.**

1           **(D) “CERTIFYING PHYSICIAN” MEANS AN INDIVIDUAL LICENSED BY THE**  
2 **STATE BOARD OF PHYSICIANS UNDER TITLE 14 OF THE HEALTH OCCUPATIONS**  
3 **ARTICLE TO PRACTICE MEDICINE WHO HAS COMPLETED:**

4                   **(1) A TRAINING PROGRAM DESIGNED AND APPROVED BY THE**  
5 **COMMISSION; OR**

6                   **(2) TRAINING WITH A REGISTERED ACADEMIC MEDICAL CENTER**  
7 **AND IS CERTIFYING PATIENTS UNDER THE DIRECTION OF A REGISTERED**  
8 **ACADEMIC MEDICAL CENTER.**

9           **(E) “COMMISSION” MEANS THE MEDICAL MARIJUANA OVERSIGHT**  
10 **COMMISSION ESTABLISHED UNDER THIS SUBTITLE.**

11           **(F) “DISPENSING CENTER” MEANS AN ENTITY REGISTERED UNDER**  
12 **THIS SUBTITLE THAT ACQUIRES, POSSESSES, DELIVERS, TRANSFERS,**  
13 **TRANSPORTS, SUPPLIES, SELLS, OR DISPENSES MARIJUANA OR RELATED**  
14 **SUPPLIES AND EDUCATION MATERIALS.**

15           **(G) “DISPENSING PHARMACY” MEANS A PHARMACY REGISTERED**  
16 **UNDER THIS SUBTITLE THAT ACQUIRES, POSSESSES, DELIVERS, TRANSFERS,**  
17 **TRANSPORTS, SELLS, SUPPLIES, OR DISPENSES MARIJUANA OR RELATED**  
18 **SUPPLIES AND EDUCATIONAL MATERIALS.**

19           **(H) “MARIJUANA” HAS THE MEANING STATED IN § 5-101 OF THE**  
20 **CRIMINAL LAW ARTICLE.**

21           **(I) “MEDICAL USE” MEANS THE ACQUISITION, POSSESSION,**  
22 **CULTIVATION, MANUFACTURE, USE, DELIVERY, SALE, TRANSFER, OR**  
23 **TRANSPORTATION OF MARIJUANA OR PARAPHERNALIA RELATING TO THE**  
24 **ADMINISTRATION OF MARIJUANA TO TREAT OR ALLEVIATE A REGISTERED**  
25 **PATIENT’S CONDITION OR SYMPTOMS.**

26           **(J) (1) “PRIMARY CAREGIVER” MEANS A RESIDENT OF THE STATE**  
27 **WHO:**

28                   **(i) IS AT LEAST 18 YEARS OLD;**

29                   **(ii) HAS AGREED TO ASSIST WITH THE MEDICAL USE OF**  
30 **MARIJUANA FOR NO MORE THAN FIVE QUALIFYING PATIENTS;**

1 (III) HAS BEEN DESIGNATED AS PRIMARY CAREGIVER ON  
2 THE QUALIFYING PATIENT'S APPLICATION OR RENEWAL FOR A REGISTRY  
3 IDENTIFICATION CARD FOR THE PRIMARY CAREGIVER; AND

4 (IV) HAS SATISFIED THE CRIMINAL HISTORY RECORDS  
5 CHECK REQUIRED UNDER § 13-3108 OF THIS SUBTITLE.

6 (2) "PRIMARY CAREGIVER" DOES NOT INCLUDE THE QUALIFYING  
7 PATIENT'S CERTIFYING PHYSICIAN.

8 (K) "QUALIFYING PATIENT" MEANS A RESIDENT OF THE STATE WHO:

9 (1) IS AT LEAST 18 YEARS OLD, UNLESS THE COMMISSION  
10 GRANTS AN EXCEPTION AT THE RECOMMENDATION OF THE PATIENT'S  
11 CERTIFYING PHYSICIAN; AND

12 (2) (I) HAS BEEN PROVIDED WITH WRITTEN CERTIFICATION  
13 BY A CERTIFYING PHYSICIAN PURSUANT TO A BONA FIDE PHYSICIAN-PATIENT  
14 RELATIONSHIP; OR

15 (II) IS ENROLLED IN A RESEARCH PROGRAM WITH A  
16 REGISTERED ACADEMIC MEDICAL CENTER.

17 (L) "REGISTERED ACADEMIC MEDICAL CENTER" MEANS A PROGRAM  
18 APPROVED BY THE COMMISSION TO CONDUCT RESEARCH REGARDING THE  
19 MEDICAL USE OF MARIJUANA BY HUMANS THAT:

20 (1) OPERATES A MEDICAL RESIDENCY PROGRAM FOR  
21 PHYSICIANS; AND

22 (2) CONDUCTS RESEARCH THAT IS OVERSEEN BY THE U.S.  
23 DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THAT INVOLVES HUMAN  
24 SUBJECTS.

25 (M) "REGISTERED GROWER" MEANS AN ENTITY THAT:

26 (1) IS REGISTERED BY THE COMMISSION UNDER THIS SUBTITLE  
27 TO BE EXEMPT FROM STATE AND LOCAL PENALTIES FOR CULTIVATING  
28 MARIJUANA IN ACCORDANCE WITH THIS SUBTITLE; AND

29 (2) IS EXEMPT FROM STATE AND LOCAL PENALTIES FOR  
30 TRANSFERRING MARIJUANA CULTIVATED BY THE ENTITY TO A DISPENSING  
31 PHARMACY OR TO A DISPENSING CENTER FOR A FEE.

1           (N)    “REGISTRY IDENTIFICATION CARD” MEANS A DOCUMENT ISSUED BY  
2 THE COMMISSION THAT IDENTIFIES AN INDIVIDUAL AS A QUALIFYING PATIENT  
3 OR A PRIMARY CAREGIVER.

4           (O)    (1)   “USABLE MARIJUANA” MEANS THE DRIED LEAVES AND  
5 FLOWERS OF MARIJUANA AND ANY MIXTURE OR PREPARATION OF THE DRIED  
6 LEAVES AND FLOWERS.

7                   (2)   “USABLE MARIJUANA” DOES NOT INCLUDE THE SEEDS,  
8 STALKS, OR ROOTS OF THE PLANT.

9           (P)    “WRITTEN CERTIFICATION” MEANS A CERTIFICATION ISSUED BY A  
10 CERTIFYING PHYSICIAN TO A QUALIFYING PATIENT WITH WHOM THE PHYSICIAN  
11 HAS A BONA FIDE PHYSICIAN–PATIENT RELATIONSHIP THAT INCLUDES A  
12 WRITTEN STATEMENT CERTIFYING THAT, IN THE PHYSICIAN’S PROFESSIONAL  
13 OPINION, AFTER HAVING COMPLETED A FULL ASSESSMENT OF THE PATIENT’S  
14 MEDICAL HISTORY AND CURRENT MEDICAL CONDITION, THE PATIENT HAS A  
15 CONDITION THAT MEETS THE INCLUSION CRITERIA AND DOES NOT MEET THE  
16 EXCLUSION CRITERIA OF THE CERTIFYING PHYSICIAN’S APPLICATION, AND FOR  
17 WHICH:

18                   (1)   RECOGNIZED DRUGS OR TREATMENT WOULD NOT BE  
19 EFFECTIVE OR OTHER TREATMENT OPTIONS HAVE MORE SERIOUS SIDE  
20 EFFECTS OR A GREATER RISK OF ADDICTION; AND

21                   (2)   THE POTENTIAL BENEFITS OF THE MEDICAL USE OF  
22 MARIJUANA WOULD LIKELY OUTWEIGH THE HEALTH RISKS FOR THE PATIENT.

23   13–3102.

24           (A)    THERE IS AN INDEPENDENT MEDICAL MARIJUANA OVERSIGHT  
25 COMMISSION.

26           (B)    THE PURPOSE OF THE COMMISSION IS TO REGISTER AND  
27 REGULATE ACADEMIC MEDICAL CENTERS, CERTIFYING PHYSICIANS, GROWERS,  
28 DISPENSING CENTERS, AND DISPENSING PHARMACIES.

29           (C)    THE COMMISSION CONSISTS OF THE FOLLOWING 14 MEMBERS:

30                   (1)   2 MEMBERS OF THE SENATE OF MARYLAND, APPOINTED BY  
31 THE PRESIDENT OF THE SENATE;

1           **(2) 2 MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY**  
2 **THE SPEAKER OF THE HOUSE;**

3           **(3) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE**  
4 **SECRETARY'S DESIGNEE; AND**

5           **(4) THE FOLLOWING 9 MEMBERS, APPOINTED BY THE**  
6 **GOVERNOR:**

7           **(I) 1 MEMBER OF THE PUBLIC WHO SUPPORTS THE USE OF**  
8 **MARIJUANA FOR MEDICAL PURPOSES AND WHO IS OR WAS A PATIENT WHO**  
9 **FOUND RELIEF FROM THE USE OF MEDICAL MARIJUANA;**

10           **(II) 2 PHYSICIANS LICENSED IN THE STATE;**

11           **(III) 1 NURSE LICENSED IN THE STATE;**

12           **(IV) 1 PHARMACIST LICENSED IN THE STATE;**

13           **(V) 1 SCIENTIST WHO HAS CONDUCTED GRANT-FUNDED**  
14 **RESEARCH;**

15           **(VI) 2 INDIVIDUALS WITH EXPERIENCE IN LAW**  
16 **ENFORCEMENT; AND**

17           **(VII) AN ATTORNEY WHO IS KNOWLEDGEABLE ABOUT**  
18 **MEDICAL MARIJUANA LAWS IN THE UNITED STATES.**

19           **(D) (1) THE TERM OF A MEMBER IS 4 YEARS.**

20           **(2) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED.**

21           **(3) A MEMBER WHO SERVES TWO CONSECUTIVE FULL 4-YEAR**  
22 **TERMS MAY NOT BE REAPPOINTED FOR 4 YEARS AFTER COMPLETION OF THOSE**  
23 **TERMS.**

24           **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**  
25 **SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**  
26 **APPOINTED AND QUALIFIES.**

27           **(E) ANNUALLY, FROM AMONG THE MEMBERS OF THE COMMISSION:**

28           **(1) THE GOVERNOR SHALL APPOINT A CHAIR; AND**

1           **(2) THE CHAIR SHALL APPOINT A VICE CHAIR.**

2           **(F) A MEMBER OF THE COMMISSION:**

3                   **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
4 **COMMISSION; BUT**

5                   **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
6 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**  
7 **BUDGET.**

8           **(G) THE COMMISSION MAY EMPLOY A STAFF, INCLUDING**  
9 **CONTRACTUAL STAFF, IN ACCORDANCE WITH THE STATE BUDGET OR FUNDED**  
10 **DIRECTLY BY APPLICATION AND REGISTRATION FEES AND GRANTS TO THE**  
11 **COMMISSION.**

12           **(H) THE COMMISSION SHALL CONSULT WITH EXPERTS IN PERFORMING**  
13 **THE DUTIES OF THE COMMISSION.**

14           **(I) THE COMMISSION SHALL MEET AT LEAST SIX TIMES A YEAR, AT THE**  
15 **TIMES AND PLACES DETERMINED BY THE COMMISSION.**

16 **13-3103.**

17           **(A) IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS**  
18 **SUBTITLE, THE COMMISSION MAY:**

19                   **(1) ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF**  
20 **THIS SUBTITLE;**

21                   **(2) CREATE SUBCOMMITTEES FROM AMONG THE MEMBERS OF**  
22 **THE COMMISSION;**

23                   **(3) APPOINT ADVISORY COMMITTEES THAT MAY INCLUDE**  
24 **INDIVIDUALS AND REPRESENTATIVES OF INTERESTED PUBLIC OR PRIVATE**  
25 **ORGANIZATIONS;**

26                   **(4) APPLY FOR AND ACCEPT ANY FUNDS, PROPERTY, OR**  
27 **SERVICES FROM ANY PERSON OR GOVERNMENT AGENCY;**

28                   **(5) MAKE AGREEMENTS WITH A GRANTOR OR PAYER OF FUNDS,**  
29 **PROPERTY, OR SERVICES;**

1           **(6) PUBLISH AND DISSEMINATE ANY INFORMATION THAT**  
2 **RELATES TO THE MEDICAL USE OF MARIJUANA AND RELATED RESEARCH; AND**

3           **(7) SUBJECT TO THE LIMITATIONS OF THIS SUBTITLE, EXERCISE**  
4 **ANY OTHER POWER THAT IS REASONABLY NECESSARY TO CARRY OUT THE**  
5 **PURPOSES OF THIS SUBTITLE.**

6           **(B) IN ADDITION TO THE DUTIES SET FORTH ELSEWHERE IN THIS**  
7 **SUBTITLE, THE COMMISSION SHALL:**

8           **(1) ADOPT REGULATIONS THAT RELATE TO THE MEETINGS,**  
9 **MINUTES, AND TRANSACTIONS OF THE COMMISSION;**

10           **(2) KEEP MINUTES OF EACH MEETING;**

11           **(3) PREPARE ANNUALLY A BUDGET PROPOSAL THAT INCLUDES**  
12 **THE ESTIMATED INCOME OF THE COMMISSION AND THE PROPOSED EXPENSES**  
13 **FOR THE ADMINISTRATION AND OPERATION OF THE COMMISSION; AND**

14           **(4) PREPARE FROM THE INFORMATION FILED WITH THE**  
15 **COMMISSION ANY SUMMARY, COMPILATION, OR OTHER SUPPLEMENTARY**  
16 **REPORT THAT WILL ADVANCE THE PURPOSES OF THIS SUBTITLE.**

17           **(C) (1) THE COMMISSION MAY CONTRACT WITH A QUALIFIED,**  
18 **INDEPENDENT THIRD PARTY FOR ANY SERVICE NECESSARY TO CARRY OUT THE**  
19 **POWERS AND DUTIES OF THE COMMISSION.**

20           **(2) UNLESS PERMISSION IS GRANTED SPECIFICALLY BY THE**  
21 **COMMISSION, A THIRD PARTY HIRED BY THE COMMISSION MAY NOT RELEASE,**  
22 **PUBLISH, OR OTHERWISE USE ANY INFORMATION TO WHICH THE THIRD PARTY**  
23 **HAS ACCESS UNDER THE CONTRACT THE THIRD PARTY HAS ENTERED INTO**  
24 **WITH THE COMMISSION.**

25           **(D) THE COMMISSION MAY INSPECT ANY DISPENSING CENTER,**  
26 **REGISTERED GROWER, OR REGISTERED PHARMACY.**

27           **(E) THE COMMISSION SHALL ADVANCE THE DEVELOPMENT OF**  
28 **SCIENTIFIC INFORMATION RELATED TO THE MEDICAL USE OF MARIJUANA.**

29           **(F) (1) ON OR BEFORE SEPTEMBER 1, 2012, THE COMMISSION SHALL**  
30 **ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.**

1           **(2) REGULATIONS ADOPTED BY THE COMMISSION MAY NOT**  
2 **REQUIRE REGISTERED ACADEMIC MEDICAL CENTERS OR PHYSICIANS TO:**

3                   **(I) DESIGNATE DISPENSING CENTERS OR DISPENSING**  
4 **PHARMACIES FOR PATIENTS;**

5                   **(II) POSSESS, CULTIVATE, OR DISTRIBUTE MARIJUANA; OR**

6                   **(III) HAVE ANY CONTROL OVER THE POSSESSION,**  
7 **CULTIVATION, OR DISTRIBUTION OF MARIJUANA.**

8           **(G) THE COMMISSION MAY SUSPEND OR REVOKE THE REGISTRATIONS**  
9 **OF ACADEMIC MEDICAL CENTERS, DISPENSING CENTERS, DISPENSING**  
10 **PHARMACIES, PHYSICIANS, AND REGISTERED GROWERS THAT VIOLATE THIS**  
11 **SUBTITLE OR REGULATIONS ISSUED UNDER THIS SUBTITLE.**

12 **13-3104.**

13           **(A) (1) THE COMMISSION SHALL APPROVE AS A CERTIFYING**  
14 **PHYSICIAN AN INDIVIDUAL WHO:**

15                   **(I) MEETS THE REQUIREMENTS OF THIS SUBTITLE;**

16                   **(II) COMPLETES THE TRAINING PROGRAM ESTABLISHED**  
17 **UNDER THIS SECTION; AND**

18                   **(III) SUBMITS APPLICATION MATERIALS THAT ARE**  
19 **SATISFACTORY TO THE COMMISSION.**

20           **(2) A PHYSICIAN CERTIFICATION MAY BE RENEWED ANNUALLY.**

21           **(B) THE COMMISSION SHALL CONSULT WITH EXPERTS, INCLUDING**  
22 **ACADEMICS AND MEDICAL PROFESSIONALS, TO ESTABLISH A TRAINING**  
23 **PROGRAM TO ENABLE PHYSICIANS TO BECOME CERTIFYING PHYSICIANS.**

24           **(C) TO BE REGISTERED AS A CERTIFYING PHYSICIAN, A PHYSICIAN**  
25 **SHALL SUBMIT A PROPOSAL TO THE COMMISSION THAT INCLUDES:**

26                   **(1) THE CRITERIA FOR INCLUDING A PATIENT UNDER THE CARE**  
27 **OF THE PHYSICIAN FOR THE PURPOSES OF THIS SUBTITLE, INCLUDING**  
28 **QUALIFYING MEDICAL CONDITIONS;**

1           **(2) THE CRITERIA THE PHYSICIAN WILL USE TO EXCLUDE**  
2 **PATIENTS FROM THE CARE OF THE PHYSICIAN FOR THE PURPOSES OF THIS**  
3 **SUBTITLE;**

4           **(3) THE PHYSICIAN'S PLAN FOR SCREENING A PATIENT FOR**  
5 **DEPENDENCE, BOTH BEFORE AND AFTER THE QUALIFYING PATIENT IS ISSUED A**  
6 **WRITTEN CERTIFICATION; AND**

7           **(4) THE PHYSICIAN'S PLAN FOR THE ONGOING ASSESSMENT AND**  
8 **FOLLOW-UP CARE OF A PATIENT AND FOR COLLECTING AND ANALYZING DATA.**

9           **(D) IF THE COMMISSION FINDS THAT A PHYSICIANS PROPOSED**  
10 **TREATMENT OF A MEDICAL CONDITION IS WITHIN THE PHYSICIAN'S CLINICAL**  
11 **PRACTICE AREA, THE COMMISSION IS ENCOURAGED TO APPROVE**  
12 **APPLICATIONS FOR THE FOLLOWING MEDICAL CONDITIONS:**

13           **(1) A CHRONIC OR DEBILITATING DISEASE OR MEDICAL**  
14 **CONDITION THAT RESULTS IN A PATIENT BEING ADMITTED INTO HOSPICE OR**  
15 **RECEIVING PALLIATIVE CARE; AND**

16           **(2) A CHRONIC OR DEBILITATING DISEASE OR MEDICAL**  
17 **CONDITION OR THE TREATMENT OF A CHRONIC OR DEBILITATING DISEASE OR**  
18 **MEDICAL CONDITION THAT PRODUCES:**

19                   **(I) CACHEXIA, ANOREXIA, OR WASTING SYNDROME;**

20                   **(II) SEVERE OR CHRONIC PAIN;**

21                   **(III) SEVERE NAUSEA;**

22                   **(IV) SEIZURES; OR**

23                   **(V) SEVERE AND PERSISTENT MUSCLE SPASMS.**

24           **(E) THE COMMISSION MAY APPROVE APPLICATIONS THAT INCLUDE**  
25 **ANY OTHER CONDITION THAT IS SEVERE AND RESISTANT TO CONVENTIONAL**  
26 **MEDICINE IF:**

27           **(1) THE FAILURE OF APPROVED MEDICATIONS TO PROVIDE**  
28 **RELIEF HAS BEEN DOCUMENTED; AND**

29           **(2) THE SYMPTOMS CAN REASONABLY BE EXPECTED TO BE**  
30 **RELIEVED BY THE MEDICAL USE OF MARIJUANA.**

1           **(F) (1) EACH CERTIFYING PHYSICIAN SHALL SUBMIT AN ANNUAL**  
2 **REPORT TO THE COMMISSION NO LATER THAN 60 DAYS BEFORE THE**  
3 **EXPIRATION OF THE CERTIFYING PHYSICIAN'S REGISTRATION.**

4                   **(2) AN ANNUAL REPORT SUBMITTED UNDER PARAGRAPH (1) OF**  
5 **THIS SUBSECTION SHALL INCLUDE:**

6                           **(I) THE NUMBER OF PATIENTS SERVED;**

7                           **(II) THE COUNTY OF RESIDENCE OF EACH PATIENT SERVED;**

8                           **(III) ANY MEDICAL CONDITION FOR WHICH MEDICAL**  
9 **MARIJUANA WAS RECOMMENDED; AND**

10                           **(IV) A SUMMARY OF CLINICAL OUTCOMES, INCLUDING**  
11 **ADVERSE EVENTS AND ANY CASES OF SUSPECTED DIVERSION.**

12                   **(3) AN ANNUAL REPORT SUBMITTED UNDER PARAGRAPH (1) OF**  
13 **THIS SUBSECTION MAY NOT INCLUDE ANY PERSONAL INFORMATION THAT**  
14 **IDENTIFIES A PATIENT.**

15           **(G) (1) A CERTIFYING PHYSICIAN MAY APPLY ANNUALLY FOR A**  
16 **RENEWAL OF A REGISTRATION.**

17                   **(2) THE COMMISSION SHALL GRANT OR DENY A RENEWAL OF A**  
18 **REGISTRATION BASED ON THE CERTIFYING PHYSICIAN'S PERFORMANCE,**  
19 **INCLUDING WHETHER THE PHYSICIAN IS PROVIDING CERTIFICATIONS FOR**  
20 **MEDICAL CONDITIONS WITHIN THE PHYSICIAN'S PRACTICE AREA.**

21           **(H) THE COMMISSION SHALL SET A REASONABLE FEE FOR PROCESSING**  
22 **PHYSICIAN APPLICATIONS AND FOR THE TRAINING PROGRAM FOR PHYSICIANS**  
23 **ESTABLISHED UNDER THIS SUBTITLE.**

24           **(I) A CERTIFYING PHYSICIAN SHALL BE PROTECTED FROM CIVIL AND**  
25 **CRIMINAL PENALTIES UNDER STATE AND LOCAL LAW FOR ACTIONS**  
26 **AUTHORIZED BY THIS SUBTITLE, INCLUDING THE ISSUANCE OF WRITTEN**  
27 **CERTIFICATIONS AND THE COLLECTION AND ANALYSIS OF DATA.**

28 **13-3105.**

1           **(A) (1) AN ACADEMIC MEDICAL CENTER MAY APPLY TO THE**  
2 **COMMISSION TO CONDUCT RESEARCH INVOLVING THE MEDICAL USE OF**  
3 **MARIJUANA.**

4           **(2) THE COMMISSION SHALL APPROVE THE APPLICATION FOR**  
5 **REGISTRATION OF AN ACADEMIC MEDICAL CENTER THAT MEETS THE**  
6 **REQUIREMENTS OF THIS SUBTITLE AND SUBMITS A PROPOSAL THAT IS**  
7 **SATISFACTORY TO THE COMMISSION.**

8           **(3) EACH REGISTERED ACADEMIC MEDICAL CENTER**  
9 **REGISTRATION EXPIRES AFTER 1 YEAR, UNLESS IT IS RENEWED.**

10          **(B) A PROPOSAL FROM AN ACADEMIC MEDICAL CENTER SHALL**  
11 **INCLUDE:**

12           **(1) A LIST OF MEDICAL PROVIDERS WHO INTEND TO**  
13 **PARTICIPATE IN THE PROGRAM AND THE QUALIFICATIONS OF THE MEDICAL**  
14 **PROVIDERS, INCLUDING PROFESSIONAL CREDENTIALS AND TRAINING SPECIFIC**  
15 **TO THE MEDICAL USE OF MARIJUANA;**

16           **(2) THE CRITERIA FOR INCLUDING A PATIENT IN THE PROGRAM,**  
17 **INCLUDING QUALIFYING MEDICAL CONDITIONS;**

18           **(3) THE CRITERIA THE ACADEMIC MEDICAL CENTER WILL USE TO**  
19 **EXCLUDE A PATIENT FROM THE PROGRAM;**

20           **(4) THE ACADEMIC MEDICAL CENTER'S PLAN FOR SCREENING A**  
21 **PATIENT FOR DEPENDENCE, BOTH BEFORE AND AFTER THE QUALIFYING**  
22 **PATIENT IS ISSUED A WRITTEN CERTIFICATION;**

23           **(5) THE ACADEMIC MEDICAL CENTER'S PLAN FOR THE ONGOING**  
24 **ASSESSMENT AND FOLLOW-UP CARE FOR A PATIENT AND FOR COLLECTING AND**  
25 **ANALYZING DATA;**

26           **(6) A LIST OF ANY CLINICAL TRIALS OR ADDITIONAL RESEARCH**  
27 **RELATED TO MEDICAL MARIJUANA THAT THE ACADEMIC MEDICAL CENTER**  
28 **INTENDS TO PURSUE; AND**

29           **(7) A LETTER OF APPROVAL FROM AN INSTITUTIONAL REVIEW**  
30 **BOARD FOR ANY PROPOSED RESEARCH ACTIVITY.**

1           **(C) THE COMMISSION IS ENCOURAGED TO APPROVE OTHERWISE**  
2 **SATISFACTORY APPLICATIONS FOR REGISTRATION THAT INCLUDE ANY OF THE**  
3 **FOLLOWING MEDICAL CONDITIONS:**

4           **(1) A CHRONIC OR DEBILITATING DISEASE OR MEDICAL**  
5 **CONDITION THAT RESULTS IN A PATIENT BEING ADMITTED INTO HOSPICE OR**  
6 **RECEIVING PALLIATIVE CARE; AND**

7           **(2) A CHRONIC OR DEBILITATING DISEASE OR MEDICAL**  
8 **CONDITION OR THE TREATMENT OF A CHRONIC OR DEBILITATING DISEASE OR**  
9 **MEDICAL CONDITION THAT PRODUCES:**

10                   **(I) CACHEXIA, ANOREXIA, OR WASTING SYNDROME;**

11                   **(II) SEVERE OR CHRONIC PAIN;**

12                   **(III) SEVERE NAUSEA;**

13                   **(IV) SEIZURES; OR**

14                   **(V) SEVERE AND PERSISTENT MUSCLE SPASMS.**

15           **(D) THE COMMISSION MAY APPROVE APPLICATIONS FOR**  
16 **REGISTRATION THAT INCLUDE ANY OTHER CONDITION THAT IS SEVERE AND**  
17 **RESISTANT TO CONVENTIONAL MEDICINE IF:**

18           **(1) THE FAILURE OF APPROVED MEDICATIONS TO PROVIDE**  
19 **RELIEF HAS BEEN DOCUMENTED; AND**

20           **(2) THE SYMPTOMS CAN REASONABLY BE EXPECTED TO BE**  
21 **RELIEVED BY THE MEDICAL USE OF MARIJUANA.**

22           **(E) A REGISTERED ACADEMIC MEDICAL CENTER, A PHYSICIAN**  
23 **PARTICIPATING IN A REGISTERED ACADEMIC MEDICAL CENTER'S PROGRAM,**  
24 **AND STAFF OF A REGISTERED ACADEMIC MEDICAL CENTER SHALL BE**  
25 **PROTECTED FROM CIVIL AND CRIMINAL PENALTIES UNDER STATE AND LOCAL**  
26 **LAW FOR ACTIONS AUTHORIZED BY THIS SUBTITLE, INCLUDING CONDUCTING**  
27 **RESEARCH INVOLVING MEDICAL MARIJUANA AND CERTIFYING PATIENTS TO**  
28 **PARTICIPATE IN THE PROGRAM.**

29           **(F) (1) EACH REGISTERED ACADEMIC MEDICAL CENTER SHALL**  
30 **SUBMIT AN ANNUAL REPORT TO THE COMMISSION NO LATER THAN 60 DAYS**

1 BEFORE THE EXPIRATION OF THE ACADEMIC MEDICAL CENTER'S  
2 REGISTRATION.

3 (2) AN ANNUAL REPORT SUBMITTED UNDER PARAGRAPH (1) OF  
4 THIS SUBSECTION SHALL INCLUDE:

5 (I) THE NUMBER OF PATIENTS SERVED;

6 (II) THE COUNTY OF RESIDENCE OF EACH PATIENT SERVED;

7 (III) ANY MEDICAL CONDITION FOR WHICH MEDICAL  
8 MARIJUANA WAS RECOMMENDED;

9 (IV) A SUMMARY OF CLINICAL OUTCOMES FOR EACH  
10 PATIENT THAT INCLUDES ANY ADVERSE EVENT AND CASE OF SUSPECTED  
11 DIVERSION; AND

12 (V) A PROGRESS REPORT ON RESEARCH STUDIES  
13 CONDUCTED UNDER THE MEDICAL MARIJUANA PROGRAM.

14 (3) AN ANNUAL REPORT SUBMITTED UNDER PARAGRAPH (1) OF  
15 THIS SUBSECTION MAY NOT INCLUDE ANY PERSONAL INFORMATION THAT  
16 IDENTIFIES A PATIENT.

17 (4) THE REGISTERED ACADEMIC MEDICAL CENTER SHALL  
18 PREPARE A LAY SUMMARY OF THE REPORT THAT IS AVAILABLE TO THE PUBLIC.

19 (G) (1) A REGISTERED ACADEMIC MEDICAL CENTER MAY APPLY  
20 ANNUALLY TO RENEW A REGISTRATION.

21 (2) THE COMMISSION SHALL GRANT OR DENY AN APPLICATION  
22 FOR THE RENEWAL OF A REGISTRATION BASED ON THE REGISTERED ACADEMIC  
23 MEDICAL CENTER'S PERFORMANCE, INCLUDING WHETHER THE ACADEMIC  
24 MEDICAL CENTER IS PROVIDING APPROPRIATE TRAINING AND OVERSIGHT FOR  
25 CERTIFYING PHYSICIANS AND COLLECTING AND ANALYZING DATA.

26 (H) THE COMMISSION SHALL SET A REASONABLE FEE FOR PROCESSING  
27 ACADEMIC MEDICAL CENTER APPLICATIONS FOR REGISTRATION.

28 13-3106.

29 (A) THE COMMISSION SHALL ISSUE A REQUEST FOR APPLICATIONS FOR  
30 REGISTRATION AS A REGISTERED GROWER.

1           **(B) (1) THE COMMISSION SHALL REQUIRE AN APPLICANT FOR**  
2 **REGISTRATION AS A REGISTERED GROWER UNDER SUBSECTION (A) OF THIS**  
3 **SECTION TO PROVIDE THE FOLLOWING INFORMATION:**

4                   **(I) THE NAME OF THE INDIVIDUAL WHO IS RESPONSIBLE**  
5 **FOR OPERATING THE CULTIVATION FACILITY;**

6                   **(II) THE LOCATION OF ANY PROPOSED CULTIVATION**  
7 **FACILITY;**

8                   **(III) THE SECURITY MEASURES THAT WILL BE FOLLOWED BY**  
9 **THE REGISTERED GROWER IN CULTIVATING, STORING, AND TRANSPORTING**  
10 **MARIJUANA;**

11                   **(IV) THE METHOD BY WHICH THE REGISTERED GROWER**  
12 **WILL ACCOUNT FOR THE AMOUNT OF MARIJUANA CULTIVATED AND**  
13 **TRANSFERRED TO A DISPENSING CENTER OR DISPENSING PHARMACY;**

14                   **(V) THE TRAINING THAT WILL BE PROVIDED TO**  
15 **EMPLOYEES TO PREVENT DIVERSION;**

16                   **(VI) HOW THE REGISTERED GROWER WILL ADDRESS**  
17 **VIOLATIONS OF THE DIVERSION POLICY; AND**

18                   **(VII) ANY OTHER INFORMATION THAT THE COMMISSION**  
19 **CONSIDERS NECESSARY.**

20           **(2) THE COMMISSION SHALL APPROVE THE FEWEST NUMBER OF**  
21 **REGISTERED GROWERS UNDER THIS SECTION AS IS REASONABLE.**

22           **(3) A REGISTRATION ISSUED UNDER THIS SECTION:**

23                   **(I) SHALL EXPIRE 1 YEAR AFTER THE DATE OF ISSUANCE;**  
24 **AND**

25                   **(II) MAY BE RENEWED ANNUALLY.**

26           **(C) (1) A REGISTERED GROWER IS EXEMPT FROM STATE AND LOCAL**  
27 **PENALTIES FOR CULTIVATING MARIJUANA FOR MEDICAL USE IN ACCORDANCE**  
28 **WITH THIS SUBTITLE.**

29           **(2) A REGISTERED GROWER SHALL:**

1                   **(I) BE PROTECTED FROM CIVIL AND CRIMINAL PENALTIES**  
2 **UNDER STATE AND LOCAL LAW FOR POSSESSING AND CULTIVATING MARIJUANA**  
3 **IN ACCORDANCE WITH THIS SUBTITLE;**

4                   **(II) BE PROTECTED FROM CIVIL AND CRIMINAL PENALTIES**  
5 **UNDER STATE AND LOCAL LAW FOR SELLING, TRANSPORTING, OR**  
6 **TRANSFERRING MARIJUANA TO DISPENSING CENTERS, DISPENSING**  
7 **PHARMACIES, AND REGISTERED ACADEMIC MEDICAL CENTERS IN ACCORDANCE**  
8 **WITH THIS SUBTITLE;**

9                   **(III) MEET CERTAIN SECURITY AND SAFETY STANDARDS**  
10 **THAT MAY BE VERIFIED BY THE COMMISSION;**

11                   **(IV) SUBMIT TO PHARMACOLOGICAL TESTING OF THE**  
12 **MARIJUANA CONDUCTED BY THE REGISTERED GROWER OR A PRIVATE ENTITY**  
13 **TO ENSURE:**

14                   **1. THAT THE MARIJUANA CAN BE ACCURATELY**  
15 **LABELED BASED ON THE POTENCY AND STRAIN OF THE MARIJUANA; AND**

16                   **2. THAT THERE IS NO ADULTERATION OR**  
17 **CONTAMINATION OF THE MARIJUANA; AND**

18                   **(V) CONDUCT A CRIMINAL HISTORY RECORDS CHECK ON**  
19 **ANY EMPLOYEE OF THE REGISTERED GROWER AS PROVIDED FOR IN THIS**  
20 **SUBTITLE, UNLESS THE REGISTERED GROWER IS ALSO A REGISTERED**  
21 **ACADEMIC MEDICAL CENTER.**

22                   **(D) A REGISTERED GROWER MAY NOT:**

23                   **(1) HOLD ANY OTHER REGISTRATION ISSUED UNDER THIS**  
24 **SUBTITLE UNLESS THE REGISTERED GROWER IS ALSO A REGISTERED ACADEMIC**  
25 **MEDICAL CENTER; OR**

26                   **(2) BE A CERTIFYING PHYSICIAN.**

27                   **(E) (1) UNLESS A REGISTERED GROWER IS ALSO A REGISTERED**  
28 **ACADEMIC MEDICAL CENTER, AN INDIVIDUAL WHO HAS BEEN CONVICTED OF**  
29 **SELLING A CONTROLLED DANGEROUS SUBSTANCE MAY NOT BE AN EMPLOYEE**  
30 **OF A REGISTERED GROWER, UNLESS THE CONVICTION WAS FOR A VIOLATION OF**  
31 **FEDERAL LAW RELATING TO THE SALE OF MARIJUANA FOR CONDUCT THAT IS**  
32 **LEGAL UNDER THIS SUBTITLE.**

1           **(2) UNLESS A REGISTERED GROWER IS ALSO A REGISTERED**  
2 **ACADEMIC MEDICAL CENTER, AN INDIVIDUAL WHO HAS BEEN CONVICTED OF A**  
3 **FELONY MAY NOT BE AN EMPLOYEE OF A REGISTERED GROWER.**

4           **(F) THE COMMISSION, AFTER CONSULTING WITH THE DEPARTMENT OF**  
5 **AGRICULTURE AND STATE POLICE, SHALL ADOPT REGULATIONS TO BE**  
6 **FOLLOWED BY A REGISTERED GROWER, INCLUDING:**

7           **(1) THE SECURITY FEATURES TO BE REQUIRED ON THE**  
8 **REGISTERED GROWER'S PREMISES, WHICH SHALL INCLUDE A REQUIREMENT**  
9 **FOR SECURITY 24 HOURS PER DAY, 7 DAYS PER WEEK AND A PROHIBITION ON**  
10 **CULTIVATING MARIJUANA OUTDOORS;**

11           **(2) THE SECURITY FEATURES TO BE REQUIRED IN TRANSPORT TO**  
12 **AN ENTITY THAT OBTAINS A REGISTRATION TO DISPENSE MARIJUANA;**

13           **(3) LABELING REQUIREMENTS, THAT SHALL INCLUDE:**

14           **(I) THE WEIGHT OF MARIJUANA IN EACH PACKAGE; AND**

15           **(II) THE FOLLOWING TEXT OR SUBSTANTIALLY SIMILAR**  
16 **TEXT: "WARNING: FOR QUALIFYING PATIENTS' MEDICAL USE ONLY. KEEP**  
17 **AWAY FROM CHILDREN. DO NOT OPERATE MACHINERY OR DRIVE WHILE UNDER**  
18 **THE INFLUENCE OF MARIJUANA.";**

19           **(4) THE LOCATION OF THE REGISTERED GROWER; AND**

20           **(5) REQUIREMENTS TO ENSURE THAT REGISTERED GROWERS**  
21 **ACCURATELY TRACK THE AMOUNT OF MARIJUANA PRODUCED AND DISPENSED**  
22 **AND THE INDIVIDUALS TO WHOM THE MARIJUANA IS DISPENSED.**

23           **(G) THE COMMISSION MAY ESTABLISH A FEE FOR REGISTRATION AND**  
24 **RENEWAL APPLICATIONS FOR REGISTERED GROWERS.**

25           **(H) THE COMMISSION SHALL GRANT OR DENY THE RENEWAL OF**  
26 **REGISTRATION BASED ON THE REGISTERED GROWER'S PERFORMANCE,**  
27 **INCLUDING WHETHER THE REGISTERED GROWER HAS FOLLOWED**  
28 **REGULATIONS, INCLUDING THE IMPLEMENTATION OF APPROPRIATE**  
29 **PROCEDURES FOR SECURITY AND NONDIVERSION.**

30 **13-3107.**

1           **(A) THE COMMISSION SHALL ESTABLISH A REGISTRATION PROGRAM TO**  
2 **REGISTER ENTITIES THAT ARE EXEMPT FROM STATE AND LOCAL PENALTIES**  
3 **FOR DISTRIBUTING MARIJUANA FOR MEDICAL USE.**

4           **(B) THE FOLLOWING ENTITIES MAY APPLY TO REGISTER WITH THE**  
5 **COMMISSION TO BE EXEMPT FROM STATE AND LOCAL PENALTIES FOR**  
6 **DISTRIBUTING MARIJUANA FOR MEDICAL PURPOSES:**

7                   **(1) A PHARMACY THAT HOLDS A PHARMACY REGISTRATION**  
8 **ISSUED BY THE STATE BOARD OF PHARMACY;**

9                   **(2) A DISPENSING CENTER AS PROVIDED FOR IN THIS SECTION;**  
10 **AND**

11                   **(3) AN ACADEMIC MEDICAL CENTER AS PROVIDED FOR IN THIS**  
12 **SECTION.**

13           **(C) THE COMMISSION SHALL REQUIRE AN APPLICANT FOR**  
14 **REGISTRATION AS A DISPENSING CENTER OR DISPENSING PHARMACY TO**  
15 **PROVIDE THE FOLLOWING:**

16                   **(1) AN APPLICATION FEE;**

17                   **(2) THE NAME OF THE INDIVIDUAL WHO IS RESPONSIBLE FOR**  
18 **OPERATING THE DISPENSING PHARMACY OR DISPENSING CENTER;**

19                   **(3) THE LOCATION OF THE DISPENSING PHARMACY OR**  
20 **DISPENSING CENTER;**

21                   **(4) THE SECURITY MEASURES THAT WILL BE FOLLOWED BY THE**  
22 **DISPENSING PHARMACY OR DISPENSING CENTER IN RECEIVING, STORING, AND**  
23 **DISPENSING MARIJUANA;**

24                   **(5) THE METHOD BY WHICH THE DISPENSING PHARMACY OR**  
25 **DISPENSING CENTER WILL ACCOUNT FOR THE AMOUNT OF MARIJUANA**  
26 **RECEIVED AND DISPENSED;**

27                   **(6) THE TRAINING THAT WILL BE PROVIDED TO EMPLOYEES TO**  
28 **PREVENT DIVERSION;**

29                   **(7) HOW THE DISPENSING PHARMACY OR DISPENSING CENTER**  
30 **WILL ADDRESS VIOLATIONS OF THE DIVERSION POLICY; AND**

1           **(8) ANY OTHER INFORMATION THAT THE COMMISSION**  
2 **CONSIDERS NECESSARY.**

3           **(D) (1) A REGISTERED ACADEMIC MEDICAL CENTER IS NOT**  
4 **REQUIRED TO REGISTER AS A REGISTERED DISPENSING CENTER.**

5           **(2) AN ACADEMIC MEDICAL CENTER MAY APPLY TO THE**  
6 **COMMISSION TO DISPENSE MARIJUANA TO PATIENTS AND TO OPERATE AS A**  
7 **REGISTERED ACADEMIC MEDICAL CENTER.**

8           **(3) AN APPLICATION SUBMITTED UNDER PARAGRAPH (2) OF THIS**  
9 **SUBSECTION SHALL INCLUDE:**

10                   **(I) A SUMMARY OF THE TRAINING THAT WILL BE PROVIDED**  
11 **TO EMPLOYEES AND TO PATIENTS TO PREVENT DIVERSION;**

12                   **(II) A DESCRIPTION OF THE MATERIALS THAT WILL BE**  
13 **PROVIDED TO PATIENTS TO ENSURE INFORMED CONSENT; AND**

14                   **(III) A DESCRIPTION OF HOW THE ACADEMIC MEDICAL**  
15 **CENTER WILL ADDRESS VIOLATIONS OF THE DIVERSION POLICY.**

16           **(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
17 **SUBSECTION, AN ENTITY SEEKING TO OPERATE AS A REGISTERED DISPENSING**  
18 **CENTER SHALL PERFORM A CRIMINAL HISTORY RECORDS CHECK ON EACH**  
19 **EMPLOYEE.**

20           **(2) THE CRIMINAL HISTORY RECORDS CHECK REQUIREMENT**  
21 **UNDER PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO DISPENSING**  
22 **PHARMACIES OR REGISTERED ACADEMIC MEDICAL CENTERS.**

23           **(3) AS PART OF THE CRIMINAL HISTORY RECORDS CHECK FOR AN**  
24 **EMPLOYEE, AN ENTITY SHALL SUBMIT AN APPLICATION TO THE CENTRAL**  
25 **REPOSITORY WITH:**

26                   **(I) TWO COMPLETE SETS OF THE EMPLOYEE'S LEGIBLE**  
27 **FINGERPRINTS; AND**

28                   **(II) ANY FEE REQUIRED UNDER STATE LAW FOR ACCESS TO**  
29 **STATE CRIMINAL HISTORY RECORDS.**

1           **(4) THE CENTRAL REPOSITORY SHALL FORWARD TO THE**  
2 **EMPLOYEE, THE DISPENSING CENTER, AND THE COMMISSION THE EMPLOYEE'S**  
3 **CRIMINAL HISTORY RECORD INFORMATION.**

4           **(5) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY**  
5 **UNDER THIS SUBSECTION IS CONFIDENTIAL AND MAY NOT BE DISSEMINATED.**

6           **(6) (I) AN INDIVIDUAL WHO HAS BEEN CONVICTED OF THE**  
7 **SALE OF A CONTROLLED DANGEROUS SUBSTANCE MAY NOT BE ISSUED A**  
8 **REGISTRATION TO OPERATE A DISPENSING CENTER UNLESS THE CONVICTION**  
9 **WAS FOR A VIOLATION OF FEDERAL LAW RELATING TO SALE OF MARIJUANA FOR**  
10 **CONDUCT THAT IS LEGAL UNDER THIS SUBTITLE.**

11           **(II) AN INDIVIDUAL WHO HAS BEEN CONVICTED OF THE**  
12 **SALE OF A CONTROLLED DANGEROUS SUBSTANCE MAY NOT BE AN EMPLOYEE**  
13 **OF A DISPENSING CENTER UNLESS THE CONVICTION WAS FOR A VIOLATION OF**  
14 **FEDERAL LAW RELATING TO SALE OF MARIJUANA FOR CONDUCT THAT IS LEGAL**  
15 **UNDER THIS SUBTITLE.**

16           **(III) AN INDIVIDUAL WHO HAS BEEN CONVICTED OF A**  
17 **FELONY MAY NOT BE ISSUED A REGISTRATION TO OPERATE A DISPENSING**  
18 **CENTER UNLESS THE CONVICTION WAS FOR A VIOLATION OF FEDERAL LAW**  
19 **RELATING TO THE SALE OF MARIJUANA FOR CONDUCT THAT IS LEGAL UNDER**  
20 **THIS SUBTITLE.**

21           **(IV) AN INDIVIDUAL WHO HAS BEEN CONVICTED OF A**  
22 **FELONY MAY NOT BE AN EMPLOYEE OF A DISPENSING CENTER UNLESS THE**  
23 **CONVICTION WAS FOR A VIOLATION OF FEDERAL LAW RELATING TO THE SALE**  
24 **OF MARIJUANA FOR CONDUCT THAT IS LEGAL UNDER THIS SUBTITLE.**

25           **(F) UNLESS THE ENTITY IS A REGISTERED ACADEMIC MEDICAL**  
26 **CENTER, AN ENTITY SEEKING TO BE EXEMPT FROM STATE AND LOCAL**  
27 **CRIMINAL PENALTIES FOR OPERATING A REGISTERED DISPENSING CENTER OR**  
28 **BEING A REGISTERED GROWER UNDER THIS SUBTITLE SHALL REQUIRE EACH**  
29 **EMPLOYEE OF THE ENTITY TO SUBMIT TO PERIODIC DRUG TESTING AS**  
30 **DETERMINED BY THE COMMISSION IN REGULATIONS.**

31           **(G) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE**  
32 **COMMISSION SHALL ISSUE A REGISTRATION TO OPERATE A REGISTERED**  
33 **DISPENSING CENTER OR REGISTERED DISPENSING PHARMACY TO AN**  
34 **APPLICANT IF:**

35           **(I) THE REQUIREMENTS OF THIS SECTION ARE MET;**

1                   **(II) THE COMMISSION HAS VERIFIED THE INFORMATION**  
2 **CONTAINED IN THE APPLICATION; AND**

3                   **(III) THE APPLICATION IS IN COMPLIANCE WITH ANY**  
4 **REQUIREMENTS ISSUED BY THE COMMISSION.**

5                   **(2) THE COMMISSION MAY SET REASONABLE LIMITS ON THE**  
6 **NUMBER OF REGISTERED DISPENSING CENTERS IN THE STATE OR IN A**  
7 **GEOGRAPHIC AREA.**

8                   **(3) IF THE COMMISSION LIMITS THE NUMBER OF REGISTERED**  
9 **DISPENSING CENTERS, THE COMMISSION MAY CONSIDER A PROPOSED**  
10 **DISPENSING CENTER'S PLANS FOR SECURITY, PREVENTING DIVERSION, AND**  
11 **PROVIDING LOWER-COST OR FREE MARIJUANA TO QUALIFYING PATIENTS WITH**  
12 **LITTLE OR NO INCOME IN DETERMINING WHETHER TO ISSUE A REGISTRATION.**

13                   **(4) THE COMMISSION SHALL APPROVE OR DENY AN APPLICATION**  
14 **TO OPERATE A DISPENSING CENTER OR DISPENSING PHARMACY WITHIN 60**  
15 **DAYS AFTER RECEIPT OF A COMPLETED APPLICATION.**

16                   **(5) THE COMMISSION SHALL ASSIGN A UNIQUE IDENTIFICATION**  
17 **NUMBER TO EACH DISPENSING CENTER OR DISPENSING PHARMACY THAT HAS**  
18 **BEEN ISSUED A REGISTRATION UNDER THIS SECTION.**

19                   **(6) A DENIAL OF AN APPLICATION SHALL BE CONSIDERED A**  
20 **FINAL AGENCY DECISION FOR PURPOSES OF JUDICIAL REVIEW UNDER THE**  
21 **ADMINISTRATIVE PROCEDURE ACT.**

22                   **(H) AN ENTITY THAT HAS BEEN ISSUED A REGISTRATION UNDER THIS**  
23 **SECTION SHALL DISPLAY THE REGISTRATION AT THE REGISTERED DISPENSING**  
24 **PHARMACY OR REGISTERED DISPENSING CENTER AT ALL TIMES WHEN THE**  
25 **REGISTERED DISPENSING PHARMACY OR REGISTERED DISPENSING CENTER IS**  
26 **IN POSSESSION OF MARIJUANA.**

27                   **(I) AN ENTITY THAT HAS BEEN ISSUED A REGISTRATION UNDER THIS**  
28 **SECTION SHALL REPORT ANY CHANGE IN INFORMATION ON THE REGISTRATION**  
29 **TO THE COMMISSION NO LATER THAN 10 DAYS AFTER THE CHANGE.**

30                   **(J) AN ENTITY THAT HAS BEEN ISSUED A REGISTRATION UNDER THIS**  
31 **SECTION MAY NOT:**

1           **(1) HOLD ANY OTHER REGISTRATION ISSUED UNDER THIS**  
2 **SUBTITLE UNLESS THE ENTITY IS A REGISTERED ACADEMIC MEDICAL CENTER;**  
3 **OR**

4           **(2) BE A CERTIFYING PHYSICIAN.**

5           **(K) ON OR BEFORE SEPTEMBER 1, 2012, THE COMMISSION, IN**  
6 **CONSULTATION WITH THE STATE BOARD OF PHARMACY, THE STATE POLICE,**  
7 **AND STAKEHOLDERS, SHALL DEVELOP REGULATIONS REGARDING THE**  
8 **PROCEDURES TO BE FOLLOWED BY REGISTERED ACADEMIC MEDICAL CENTERS,**  
9 **REGISTERED DISPENSING PHARMACIES, AND REGISTERED DISPENSING**  
10 **CENTERS IN DISPENSING, STORING, AND TRANSPORTING MARIJUANA UNDER**  
11 **THIS SUBTITLE.**

12           **(L) (1) THE COMMISSION SHALL ESTABLISH A REASONABLE FEE FOR**  
13 **APPLICATIONS AND THE RENEWAL OF REGISTRATIONS FOR DISPENSING**  
14 **CENTERS AND DISPENSING PHARMACIES.**

15           **(2) THE COMMISSION SHALL GRANT OR DENY A RENEWAL BASED**  
16 **ON THE REGISTERED DISPENSING CENTER OR REGISTERED DISPENSING**  
17 **PHARMACY'S PERFORMANCE, INCLUDING WHETHER THE REGISTERED**  
18 **DISPENSING CENTER OR REGISTERED DISPENSING PHARMACY HAS FOLLOWED**  
19 **REGULATIONS, INCLUDING THE IMPLEMENTATION OF APPROPRIATE**  
20 **PROCEDURES FOR SECURITY AND NONDIVERSION.**

21 **13-3108.**

22           **(A) (1) THE COMMISSION, IN CONSULTATION WITH STATE AND**  
23 **LOCAL LAW ENFORCEMENT, SHALL DEVELOP REGULATIONS PROVIDING FOR**  
24 **THE ISSUANCE OF REGISTRY IDENTIFICATION CARDS TO QUALIFYING PATIENTS**  
25 **WHO:**

26                   **(I) HAVE RECEIVED A WRITTEN CERTIFICATION FROM A**  
27 **CERTIFYING PHYSICIAN; OR**

28                   **(II) ARE ENROLLED TO PARTICIPATE IN A REGISTERED**  
29 **ACADEMIC PROGRAM'S RESEARCH PROGRAM.**

30           **(2) THE COMMISSION MAY ESTABLISH AN APPLICATION FEE AND**  
31 **A RENEWAL FEE FOR THE ISSUANCE OF A REGISTRY IDENTIFICATION CARD**  
32 **THAT MAY BE BASED ON A SLIDING SCALE.**

1           **(3) THE COMMISSION SHALL ISSUE A REGISTRY IDENTIFICATION**  
2 **CARD TO A QUALIFYING PATIENT WHO:**

3                   **(I) HAS BEEN ISSUED A VALID WRITTEN CERTIFICATION BY**  
4 **A CERTIFIED PHYSICIAN; OR**

5                   **(II) HAS BEEN CERTIFIED TO PARTICIPATE IN A MEDICAL**  
6 **MARIJUANA PROGRAM BY A REGISTERED ACADEMIC MEDICAL CENTER.**

7           **(4) TO APPLY FOR A REGISTRY IDENTIFICATION CARD, A**  
8 **QUALIFYING PATIENT SHALL SUBMIT TO THE COMMISSION:**

9                   **(I) THE NAME, ADDRESS, AND DATE OF BIRTH OF THE**  
10 **QUALIFYING PATIENT;**

11                   **(II) THE WRITTEN CERTIFICATION ISSUED BY THE**  
12 **PATIENT'S CERTIFYING PHYSICIAN OR DOCUMENTATION FROM A REGISTERED**  
13 **ACADEMIC MEDICAL CENTER;**

14                   **(III) THE NAME, ADDRESS, AND DATE OF BIRTH OF THE**  
15 **QUALIFYING PATIENT'S PRIMARY CAREGIVER IF THE PATIENT IS SEEKING THE**  
16 **ASSISTANCE OF A PRIMARY CAREGIVER;**

17                   **(IV) THE APPLICATION OR RENEWAL FEE AS DETERMINED**  
18 **BY THE COMMISSION; AND**

19                   **(V) IF THE QUALIFYING PATIENT IS SEEKING THE**  
20 **ASSISTANCE OF A PRIMARY CAREGIVER, THE REASON THAT THE PATIENT**  
21 **REQUIRES THE ASSISTANCE OF A CAREGIVER TO OBTAIN MARIJUANA.**

22           **(B) (1) THE COMMISSION SHALL:**

23                   **(I) APPROVE OR DENY AN APPLICATION FOR A REGISTRY**  
24 **IDENTIFICATION CARD OR RENEWAL WITHIN 30 DAYS AFTER RECEIPT OF THE**  
25 **APPLICATION OR RENEWAL;**

26                   **(II) ISSUE A REGISTRY IDENTIFICATION CARD WITHIN 5**  
27 **DAYS AFTER APPROVING THE APPLICATION OR RENEWAL; AND**

28                   **(III) ENSURE THAT AN INDIVIDUAL IS NOT DESIGNATED AS A**  
29 **PRIMARY CAREGIVER FOR MORE THAN FIVE QUALIFYING PATIENTS.**

1           **(2) THE COMMISSION MAY DENY AN APPLICATION FOR A**  
2 **REGISTRY IDENTIFICATION CARD OR RENEWAL ONLY IF:**

3                   **(I) THE APPLICANT FAILS TO PROVIDE THE INFORMATION**  
4 **REQUIRED UNDER THIS SECTION; OR**

5                   **(II) IF THE COMMISSION DETERMINES THAT THE**  
6 **INFORMATION IN THE APPLICATION OR RENEWAL WAS FALSIFIED.**

7           **(3) THE COMMISSION SHALL DENY A REQUEST BY A QUALIFYING**  
8 **PATIENT FOR A PRIMARY CAREGIVER IF:**

9                   **(I) THE APPLICANT FAILS TO PROVIDE THE INFORMATION**  
10 **REQUIRED UNDER THIS SECTION;**

11                   **(II) THE COMMISSION DETERMINES THAT THE**  
12 **INFORMATION PROVIDED IN THE APPLICATION OR RENEWAL WAS FALSIFIED;**

13                   **(III) THE QUALIFYING PATIENT DID NOT PROVIDE A**  
14 **CONVINCING REASON WHY THE INDIVIDUAL NEEDED A PRIMARY CAREGIVER;**

15                   **(IV) THE PRIMARY CAREGIVER IS ALREADY REGISTERED TO**  
16 **ASSIST AT LEAST FIVE OR MORE PATIENTS; OR**

17                   **(V) THE PRIMARY CAREGIVER HAS A CONVICTION THAT**  
18 **PRECLUDES PARTICIPATION IN THE PROGRAM.**

19           **(4) A DENIAL BY THE COMMISSION OF AN APPLICATION FOR A**  
20 **REGISTRY IDENTIFICATION CARD UNDER THIS SECTION SHALL BE CONSIDERED**  
21 **A FINAL AGENCY DECISION FOR PURPOSES OF JUDICIAL REVIEW UNDER THE**  
22 **ADMINISTRATIVE PROCEDURE ACT.**

23           **(c) (1) THE COMMISSION SHALL REQUIRE EACH APPLICANT**  
24 **SEEKING TO SERVE AS A PRIMARY CAREGIVER TO APPLY TO THE CENTRAL**  
25 **REPOSITORY FOR A CRIMINAL HISTORY RECORDS CHECK.**

26                   **(2) THE COMMISSION SHALL APPROVE PROVISIONALLY AN**  
27 **APPLICATION TO SERVE AS A PRIMARY CAREGIVER PENDING THE RESULTS OF A**  
28 **CRIMINAL HISTORY RECORDS CHECK.**

29                   **(3) AS PART OF THE APPLICATION FOR THE CRIMINAL HISTORY**  
30 **RECORDS CHECK UNDER THIS SUBSECTION, AN APPLICANT SHALL SUBMIT TO**  
31 **THE CENTRAL REPOSITORY:**

1                   (I) TWO COMPLETE SETS OF THE APPLICANT'S LEGIBLE  
2 FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE  
3 CENTRAL REPOSITORY; AND

4                   (II) ANY FEE REQUIRED UNDER STATE LAW FOR ACCESS TO  
5 STATE CRIMINAL HISTORY RECORDS.

6                   (4) THE CENTRAL REPOSITORY SHALL FORWARD TO THE  
7 APPLICANT AND TO THE COMMISSION THE APPLICANT'S CRIMINAL HISTORY  
8 RECORD INFORMATION.

9                   (5) INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY  
10 UNDER THIS SUBSECTION IS CONFIDENTIAL AND MAY NOT BE DISSEMINATED.

11                   (6) (I) AN APPLICANT WHO HAS BEEN CONVICTED OF  
12 POSSESSION OR THE SALE OF A CONTROLLED DANGEROUS SUBSTANCE MAY NOT  
13 SERVE AS A PRIMARY CAREGIVER UNLESS THE CONVICTION OCCURRED ON OR  
14 AFTER SEPTEMBER 1, 2012, AND WAS FOR A VIOLATION OF FEDERAL LAW  
15 RELATING TO POSSESSION OR SALE OF MARIJUANA FOR CONDUCT THAT IS  
16 LEGAL UNDER THIS SUBTITLE.

17                   (II) AN INDIVIDUAL WHO HAS BEEN CONVICTED OF A  
18 FELONY MAY NOT BE ISSUED A REGISTRY IDENTIFICATION CARD TO SERVE AS A  
19 PRIMARY CAREGIVER.

20                   (7) ON RECEIPT OF THE CRIMINAL HISTORY RECORDS CHECK  
21 FROM THE CENTRAL REPOSITORY, THE COMMISSION SHALL NOTIFY THE  
22 APPLICANT IN WRITING OF THE APPLICANT'S QUALIFICATION FOR OR  
23 DISQUALIFICATION FROM SERVING AS A PRIMARY CAREGIVER.

24                   (D) (1) A REGISTRY IDENTIFICATION CARD ISSUED UNDER THIS  
25 SECTION SHALL CONTAIN THE FOLLOWING INFORMATION:

26                   (I) THE NAME, ADDRESS, AND DATE OF BIRTH OF THE  
27 QUALIFYING PATIENT;

28                   (II) THE NAME, ADDRESS, AND DATE OF BIRTH OF THE  
29 QUALIFYING PATIENT'S PRIMARY CAREGIVER, IF ANY;

30                   (III) THE DATE OF ISSUANCE;

1                   (IV) THE EXPIRATION DATE OF THE REGISTRY  
2 IDENTIFICATION, WHICH SHALL BE 1 YEAR AFTER THE DATE OF ISSUANCE,  
3 UNLESS A DIFFERENT DATE IS INCLUDED ON THE WRITTEN CERTIFICATION;

4                   (V) PHOTO IDENTIFICATION OF THE CARDHOLDER;

5                   (VI) A RANDOM IDENTIFICATION CARD NUMBER; AND

6                   (VII) ANY OTHER INFORMATION REQUIRED BY THE  
7 COMMISSION IN REGULATIONS.

8                   (2) A PRIMARY CAREGIVER OR QUALIFYING PATIENT WHO HAS  
9 BEEN ISSUED A REGISTRY IDENTIFICATION CARD SHALL NOTIFY THE  
10 COMMISSION OF ANY CHANGE IN THE NAME OF A PRIMARY CAREGIVER OR  
11 QUALIFYING PATIENT OR ADDRESS WITHIN 10 DAYS AFTER THE CHANGE OR THE  
12 REGISTRY IDENTIFICATION CARD SHALL BE CONSIDERED VOID.

13                   (3) (I) IF THERE IS A CHANGE IN THE STATUS OF A PATIENT'S  
14 QUALIFYING MEDICAL CONDITION THAT REQUIRES A CERTIFYING PHYSICIAN TO  
15 WITHDRAW THE PATIENT'S WRITTEN CERTIFICATION OR REQUIRES THE  
16 QUALIFYING PATIENT'S REGISTERED ACADEMIC MEDICAL CENTER TO  
17 TERMINATE THE QUALIFYING PATIENT'S PARTICIPATION IN ITS PROGRAM, THE  
18 CERTIFYING PHYSICIAN OR REGISTERED ACADEMIC MEDICAL CENTER SHALL  
19 PROVIDE WRITTEN NOTICE TO THE PATIENT AND THE COMMISSION WITHIN 10  
20 DAYS AFTER BECOMING AWARE OF THE CHANGE.

21                   (II) ON RECEIPT OF THE NOTICE REQUIRED UNDER  
22 SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION SHALL:

23                   1. REVOKE THE PATIENT'S REGISTRY  
24 IDENTIFICATION CARD AND, IF APPLICABLE, THE PATIENT'S PRIMARY  
25 CAREGIVER'S REGISTRY IDENTIFICATION CARD; AND

26                   2. SEND THE PATIENT AND, IF APPLICABLE, THE  
27 PATIENT'S PRIMARY CAREGIVER A REVOCATION NOTICE REQUIRING THE  
28 IMMEDIATE RETURN OF ALL REGISTRY IDENTIFICATION CARDS.

29                   (III) ON RECEIPT OF A REVOCATION NOTICE UNDER  
30 SUBPARAGRAPH (II) OF THIS PARAGRAPH, A PATIENT AND, IF APPLICABLE, A  
31 PATIENT'S PRIMARY CAREGIVER SHALL:

32                   1. IMMEDIATELY SEND TO THE COMMISSION, OR  
33 ANY OTHER ENTITY ISSUING REGISTRY IDENTIFICATION CARDS, THE REGISTRY

1 IDENTIFICATION CARD OF THE PATIENT AND, IF APPLICABLE, THE PATIENT'S  
2 PRIMARY CAREGIVER; AND

3                   2.     **WITHIN 15 DAYS, DISPOSE OF ANY MARIJUANA IN**  
4 **THE PATIENT'S POSSESSION BY TRANSFERRING THE MARIJUANA TO A**  
5 **REGISTERED DISPENSING CENTER OR REGISTERED DISPENSING PHARMACY.**

6           **(E) THE COMMISSION SHALL ESTABLISH PROCEDURES FOR EACH**  
7 **REGISTERED QUALIFYING PATIENT TO DESIGNATE A SINGLE REGISTERED**  
8 **DISPENSING CENTER OR REGISTERED DISPENSING PHARMACY WITH THE**  
9 **COMMISSION.**

10           **(F) (1) THE COMMISSION SHALL MAINTAIN A LIST OF THE**  
11 **INDIVIDUALS TO WHOM THE COMMISSION HAS ISSUED REGISTRY**  
12 **IDENTIFICATION CARDS.**

13                   **(2) THE LIST MAINTAINED BY THE COMMISSION UNDER**  
14 **PARAGRAPH (1) OF THIS SUBSECTION:**

15                           **(I) IS CONFIDENTIAL;**

16                           **(II) MAY NOT BE CONSIDERED A PUBLIC RECORD; AND**

17                           **(III) MAY NOT BE DISCLOSED EXCEPT TO:**

18                                   1.     **AUTHORIZED EMPLOYEES OF THE COMMISSION**  
19 **AS NECESSARY TO PERFORM OFFICIAL DUTIES OF THE COMMISSION; OR**

20                                   2.     **AUTHORIZED EMPLOYEES OF STATE OR LOCAL**  
21 **LAW ENFORCEMENT TO VERIFY THAT AN INDIVIDUAL WHO IS ENGAGED IN THE**  
22 **SUSPECTED OR ALLEGED MEDICAL USE OF MARIJUANA IS LAWFULLY IN**  
23 **POSSESSION OF A REGISTRY IDENTIFICATION CARD.**

24                           **(3) EMPLOYEES OF STATE AND LOCAL LAW ENFORCEMENT MAY**  
25 **NOT QUERY RECORDS FOR INDIVIDUALS NOT IMMEDIATELY BEING CONSIDERED**  
26 **IN CASES OF SUSPECTED MARIJUANA MISUSE OR WHO PRESENT LAW**  
27 **ENFORCEMENT WITH A REGISTRY IDENTIFICATION CARD.**

28                           **(4) AUTHORIZED EMPLOYEES OF STATE OR LOCAL LAW**  
29 **ENFORCEMENT MAY PROVIDE THE COMMISSION WITH A REGISTRY**  
30 **IDENTIFICATION NUMBER ASSOCIATED WITH A REGISTRY IDENTIFICATION**  
31 **CARD AND RECEIVE VERIFICATION OF THE NAME, ADDRESS, AND CURRENT**

1 PROGRAM STATUS FOR THE PATIENT ASSOCIATED WITH THE REGISTRY  
2 IDENTIFICATION NUMBER.

3 13-3109.

4 (A) THE FOLLOWING PERSONS ACTING IN ACCORDANCE WITH THE  
5 PROVISIONS OF THIS SUBTITLE MAY NOT BE SUBJECT TO ARREST,  
6 PROSECUTION, OR ANY CIVIL OR ADMINISTRATIVE PENALTY, INCLUDING CIVIL  
7 PENALTY OR DISCIPLINARY ACTION, BY A PROFESSIONAL LICENSING BOARD, OR  
8 BE DENIED ANY RIGHT OR PRIVILEGE, FOR THE MEDICAL USE OF MARIJUANA:

9 (1) A QUALIFYING PATIENT OR A PATIENT'S PRIMARY CAREGIVER  
10 WHO HOLDS A VALID REGISTRY IDENTIFICATION CARD AND IS IN POSSESSION  
11 OF AN ALLOWABLE AMOUNT OF USABLE MARIJUANA PURCHASED OR ACQUIRED  
12 IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE;

13 (2) A REGISTERED GROWER OR A REGISTERED GROWER'S  
14 EMPLOYEE;

15 (3) IF A QUALIFYING PATIENT IS UNABLE TO DISPOSE OF  
16 MARIJUANA AND THE PATIENT DOES NOT HAVE A PRIMARY CAREGIVER, AN  
17 INDIVIDUAL TRANSPORTING THE QUALIFYING PATIENT'S MARIJUANA TO A  
18 REGISTERED DISPENSING CENTER OR REGISTERED DISPENSING PHARMACY;

19 (4) A DISPENSING PHARMACY THAT HOLDS A REGISTRATION  
20 UNDER THIS SUBTITLE OR A REGISTERED DISPENSING CENTER OR AN  
21 EMPLOYEE OF A REGISTERED DISPENSING PHARMACY OR REGISTERED  
22 DISPENSING CENTER;

23 (5) A CERTIFYING PHYSICIAN;

24 (6) A REGISTERED ACADEMIC MEDICAL CENTER AND THE STAFF  
25 OF THE CENTER; AND

26 (7) A LABORATORY CONDUCTING TESTING OF MEDICAL  
27 MARIJUANA, INCLUDING TESTING FOR POTENCY AND CONTAMINANTS, OR AN  
28 EMPLOYEE OF A LABORATORY CONDUCTING TESTING OF MEDICAL MARIJUANA.

29 (B) THE POSSESSION OF, OR THE APPLICATION FOR, A REGISTRY  
30 IDENTIFICATION CARD DOES NOT CONSTITUTE PROBABLE CAUSE TO SEARCH AN  
31 INDIVIDUAL OR THE PROPERTY OF AN INDIVIDUAL POSSESSING OR APPLYING  
32 FOR THE REGISTRY IDENTIFICATION CARD, OR OTHERWISE SUBJECT THE

1 INDIVIDUAL OR THE PROPERTY OF THE INDIVIDUAL TO INSPECTION BY A  
2 GOVERNMENTAL UNIT.

3 (C) AN INDIVIDUAL MAY NOT BE SUBJECT TO ARREST OR PROSECUTION  
4 FOR CONSTRUCTIVE POSSESSION, CONSPIRACY, OR ANY OTHER OFFENSE FOR  
5 BEING IN THE PRESENCE OR VICINITY OF THE MEDICAL USE OF MARIJUANA AS  
6 AUTHORIZED BY THIS SUBTITLE.

7 13-3110.

8 (A) AN AGENT OF A REGISTERED DISPENSING PHARMACY OR A  
9 REGISTERED DISPENSING CENTER MAY SELL OR DISPENSE AN AMOUNT OF  
10 USABLE MARIJUANA THAT DOES NOT EXCEED THE AMOUNT SET BY THE  
11 COMMISSION IN A 30-DAY PERIOD TO A QUALIFYING PATIENT OR THE  
12 QUALIFYING PATIENT'S PRIMARY CAREGIVER IF THE INDIVIDUAL:

13 (1) PRESENTS A VALID REGISTRY IDENTIFICATION CARD; AND

14 (2) HAS IDENTIFIED THE REGISTERED DISPENSING PHARMACY  
15 OR REGISTERED DISPENSING CENTER AS THE SOLE REGISTERED DISPENSING  
16 PHARMACY OR REGISTERED DISPENSING CENTER FROM WHICH THE PATIENT  
17 CAN RECEIVE MARIJUANA, IN ACCORDANCE WITH COMMISSION REGULATIONS.

18 (B) ON RECEIPT OF THE INFORMATION REQUIRED UNDER SUBSECTION  
19 (A) OF THIS SECTION, THE APPROVED REGISTERED DISPENSING PHARMACY OR  
20 REGISTERED DISPENSING CENTER SHALL VERIFY THE INFORMATION  
21 PRESENTED.

22 (C) (1) EACH APPROVED REGISTERED DISPENSING PHARMACY AND  
23 REGISTERED DISPENSING CENTER SHALL MAINTAIN INTERNAL RECORDS OF  
24 EACH MARIJUANA-DISPENSING TRANSACTION.

25 (2) THE RECORDS REQUIRED UNDER PARAGRAPH (1) OF THIS  
26 SUBSECTION SHALL INCLUDE:

27 (I) THE AMOUNT OF MARIJUANA DISPENSED;

28 (II) THE REGISTRY IDENTIFICATION NUMBER OF THE  
29 INDIVIDUAL TO WHOM THE MARIJUANA WAS DISPENSED AND WHETHER THAT  
30 INDIVIDUAL WAS A QUALIFYING PATIENT OR THE QUALIFYING PATIENT'S  
31 PRIMARY CAREGIVER;

32 (III) THE STRAIN OF MARIJUANA DISPENSED; AND

1                   (IV) THE DATE AND TIME OF THE TRANSACTION.

2                   (3) A RECORD MAINTAINED UNDER THIS SUBSECTION:

3                   (I) IS CONFIDENTIAL; AND

4                   (II) MAY NOT INCLUDE NAMES OR OTHER PERSONAL  
5 IDENTIFYING INFORMATION.

6                   (D) (1) A QUALIFYING PATIENT MAY BE REGISTERED AT ONLY ONE  
7 REGISTERED DISPENSING PHARMACY OR REGISTERED DISPENSING CENTER AT  
8 ANY TIME.

9                   (2) THE COMMISSION SHALL ESTABLISH PROCEDURES TO ALLOW  
10 A QUALIFYING PATIENT TO CHANGE THE REGISTERED DISPENSING PHARMACY  
11 OR REGISTERED DISPENSING CENTER DESIGNATED BY THE PATIENT FOR A \$15  
12 FEE.

13                   (3) THE COMMISSION MAY LIMIT THE NUMBER OF TIMES A  
14 QUALIFYING PATIENT MAY CHANGE A DESIGNATION OF A REGISTERED  
15 DISPENSING PHARMACY OR REGISTERED DISPENSING CENTER TO ONCE EVERY  
16 30 DAYS.

17                   13-3111.

18                   A PERSON WHO KNOWINGLY GIVES FALSE INFORMATION OR MAKES A  
19 MATERIAL MISSTATEMENT IN AN APPLICATION FOR REGISTRATION OR IN AN  
20 APPLICATION FOR A RENEWAL OF A REGISTRATION UNDER THIS SUBTITLE IS  
21 GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO  
22 IMPRISONMENT NOT EXCEEDING 1 YEAR, A FINE NOT EXCEEDING \$1,000, OR  
23 BOTH.

24                   13-3112.

25                   (A) THIS SUBTITLE MAY NOT BE CONSTRUED TO AUTHORIZE ANY  
26 INDIVIDUAL TO ENGAGE IN THE FOLLOWING, AND IT DOES NOT PREVENT THE  
27 IMPOSITION OF ANY CIVIL, CRIMINAL, OR OTHER PENALTIES FOR:

28                   (1) PERFORMING A TASK UNDER THE INFLUENCE OF MARIJUANA,  
29 WHEN DOING SO WOULD CONSTITUTE NEGLIGENCE OR PROFESSIONAL  
30 MALPRACTICE;

1           **(2) OPERATING, NAVIGATING, OR BEING IN ACTUAL PHYSICAL**  
2 **CONTROL OF ANY MOTOR VEHICLE, AIRCRAFT, OR BOAT WHILE UNDER THE**  
3 **INFLUENCE OF MARIJUANA;**

4           **(3) SMOKING MARIJUANA IN ANY PUBLIC PLACE;**

5           **(4) SMOKING MARIJUANA IN A MOTOR VEHICLE; OR**

6           **(5) SMOKING MARIJUANA ON PRIVATE PROPERTY THAT:**

7                   **(i) 1. IS RENTED FROM A LANDLORD; AND**

8                               **2. IS SUBJECT TO A POLICY THAT PROHIBITS THE**  
9 **SMOKING OF MARIJUANA ON THE PROPERTY; OR**

10                           **(ii) IS SUBJECT TO A POLICY THAT PROHIBITS THE**  
11 **SMOKING OF MARIJUANA ON THE PROPERTY OF AN ATTACHED DWELLING**  
12 **ADOPTED BY ONE OF THE FOLLOWING ENTITIES:**

13                               **1. THE BOARD OF DIRECTORS OF THE COUNCIL OF**  
14 **UNIT OWNERS OF A CONDOMINIUM REGIME; OR**

15                               **2. THE GOVERNING BODY OF A HOMEOWNER'S**  
16 **ASSOCIATION.**

17           **(B) THIS SUBTITLE MAY NOT BE CONSTRUED TO PROVIDE IMMUNITY TO**  
18 **A PERSON WHO VIOLATES THE PROVISIONS OF THIS SUBTITLE FROM CRIMINAL**  
19 **PROSECUTION FOR A VIOLATION OF ANY LAW PROHIBITING OR REGULATING**  
20 **THE USE, POSSESSION, DISPENSING, DISTRIBUTION, OR PROMOTION OF**  
21 **CONTROLLED DANGEROUS SUBSTANCES, DANGEROUS DRUGS, DETRIMENTAL**  
22 **DRUGS, OR HARMFUL DRUGS, OR ANY CONSPIRACY OR ATTEMPT TO COMMIT**  
23 **ANY OF THOSE OFFENSES.**

24 **13-3113.**

25           **NOTHING IN THIS SUBTITLE SHALL BE CONSTRUED TO REQUIRE A PUBLIC**  
26 **OR PRIVATE HEALTH INSURER TO REIMBURSE AN INDIVIDUAL FOR THE COSTS**  
27 **ASSOCIATED WITH THE MEDICAL USE OF MARIJUANA.**

28 **13-3114.**

29           **(A) THE SALE OF MARIJUANA MAY NOT BE ADVERTISED ON**  
30 **BILLBOARDS, TELEVISION, OR RADIO.**

1           **(B) (1) THE COMMISSION MAY DEVELOP ADDITIONAL RULES**  
2 **RESTRICTING THE TIME, PLACE, AND MANNER THAT MARIJUANA SALES MAY BE**  
3 **ADVERTISED.**

4           **(2) RESTRICTIONS ON ADVERTISING MAY NOT PREVENT**  
5 **APPROPRIATE SIGNS ON THE PROPERTY OF THE REGISTERED DISPENSING**  
6 **PHARMACY OR REGISTERED DISPENSING CENTER OR LISTINGS IN BUSINESS**  
7 **DIRECTORIES INCLUDING PHONE BOOKS.**

8 **13-3115.**

9           **(A) BEGINNING OCTOBER 1, 2013, AND EACH OCTOBER 1**  
10 **THEREAFTER, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN**  
11 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE**  
12 **GENERAL ASSEMBLY ON:**

13           **(1) THE NUMBER OF APPLICATIONS FOR REGISTRY**  
14 **IDENTIFICATION CARDS;**

15           **(2) THE NUMBER OF QUALIFYING PATIENTS AND PRIMARY**  
16 **CAREGIVERS REGISTERED BY THE COMMISSION;**

17           **(3) THE NATURE OF THE DEBILITATING MEDICAL CONDITIONS OF**  
18 **THE QUALIFYING PATIENTS;**

19           **(4) THE NUMBER OF ACADEMIC MEDICAL CENTERS REGISTERED**  
20 **AND THE SCOPE OF THE PROGRAMS IN THE ACADEMIC MEDICAL CENTERS;**

21           **(5) THE ENTITIES RECEIVING REGISTRATIONS TO GROW**  
22 **MARIJUANA;**

23           **(6) THE ENTITIES RECEIVING REGISTRATIONS TO DISPENSE**  
24 **MARIJUANA;**

25           **(7) THE NUMBER OF REGISTRY IDENTIFICATION CARDS**  
26 **REVOKED;**

27           **(8) THE NUMBER OF REGISTRATIONS ISSUED TO ENTITIES TO**  
28 **GROW OR DISPENSE MARIJUANA THAT WERE REVOKED; AND**

29           **(9) THE NUMBER OF CERTIFYING PHYSICIANS PROVIDING**  
30 **WRITTEN CERTIFICATIONS FOR PATIENTS.**

1           **(B) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION**  
2 **MAY NOT CONTAIN ANY IDENTIFYING INFORMATION OF QUALIFYING PATIENTS,**  
3 **PRIMARY CAREGIVERS, ENTITIES SELECTED TO GROW OR DISPENSE**  
4 **MARIJUANA, OR CERTIFYING PHYSICIANS.**

5           **(C) ON OR BEFORE OCTOBER 1, 2013, AND ONCE EVERY 2 YEARS**  
6 **THEREAFTER, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN**  
7 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE**  
8 **GENERAL ASSEMBLY ON:**

9           **(1) WHETHER THERE ARE SUFFICIENT NUMBERS OF REGISTERED**  
10 **DISPENSING PHARMACIES AND REGISTERED DISPENSING CENTERS TO MEET**  
11 **THE NEEDS OF REGISTERED QUALIFYING PATIENTS THROUGHOUT THE STATE;**

12           **(2) WHETHER THE NUMBER AND SCOPE OF ACADEMIC**  
13 **PROGRAMS AND THE NUMBER OF CERTIFYING PHYSICIANS IS SUFFICIENT TO**  
14 **MEET THE NEEDS OF PATIENTS IN THE STATE;**

15           **(3) WHETHER ANY REGISTERED DISPENSING PHARMACY OR**  
16 **REGISTERED DISPENSING CENTER HAS CHARGED EXCESSIVE PRICES FOR**  
17 **MARIJUANA THAT THE PHARMACY OR CENTER DISPENSED; AND**

18           **(4) ANY NEW AND EMERGING DOCUMENTED SCIENTIFIC**  
19 **EVIDENCE OF THE EFFICACIOUS MEDICAL USE OF MARIJUANA, INCLUDING**  
20 **SYMPTOMS OR CONDITIONS FOR WHICH MARIJUANA MAY BE AN EFFECTIVE**  
21 **TREATMENT.**

22 **13-3116.**

23           **(A) THE COMMISSION MAY ACCEPT FROM ANY SOURCE GRANTS OR**  
24 **CONTRIBUTIONS TO BE USED IN CARRYING OUT THIS SUBTITLE.**

25           **(B) ANY FEES COLLECTED UNDER THIS SUBTITLE:**

26           **(1) SHALL BE USED TO OFFSET THE COSTS OF THE COMMISSION'S**  
27 **ADMINISTRATION OF THIS SUBTITLE; AND**

28           **(2) SHALL BE SET AT AN AMOUNT HIGH ENOUGH TO ENSURE**  
29 **THAT THE TOTAL AMOUNT OF FEES ASSESSED, PLUS CONTRIBUTIONS, AND**  
30 **GRANTS COLLECTED ARE SUFFICIENT TO COVER THE COSTS OF ADMINISTERING**  
31 **THIS SUBTITLE.**

1           **(C) (1) THE COMMISSION MAY DISTRIBUTE ANY FUNDS RECEIVED**  
2 **THAT EXCEED THE AMOUNT OF FUNDING NEEDED TO FULFILL ITS DUTIES**  
3 **UNDER THIS SUBTITLE TO ACADEMIC INSTITUTIONS OR REGISTERED ACADEMIC**  
4 **MEDICAL CENTERS IN THE STATE TO STUDY THE IMPACT OF THE MEDICAL**  
5 **MARIJUANA PROGRAM OR TO CONDUCT CLINICAL OR OBSERVATIONAL**  
6 **RESEARCH ON THE MEDICAL EFFICACY OF MARIJUANA, INCLUDING:**

7                   **(I) CLINICAL TRIALS;**

8                   **(II) SELF-REPORTED INITIAL AND LONG-TERM**  
9 **EFFECTIVENESS AND SAFETY OF PATIENTS;**

10                   **(III) PHYSICIAN REPORTS OF INITIAL AND LONG-TERM**  
11 **SAFETY AND EFFECTIVENESS;**

12                   **(IV) ASSESSMENTS OF SAFETY AND ACCEPTABILITY OF**  
13 **MEDICAL MARIJUANA USE AMONG THE GENERAL PUBLIC AND FAMILY MEMBERS**  
14 **OF QUALIFYING PATIENTS;**

15                   **(V) IMPACT ON PATIENT ILLICIT AND PRESCRIPTION DRUG**  
16 **USE BEFORE, DURING, AND AFTER USE OF MEDICAL MARIJUANA;**

17                   **(VI) IMPACT ON THE QUALITY OF LIFE OF THE PATIENT OR**  
18 **THE PATIENT'S FAMILY; AND**

19                   **(VII) IMPACT ON ILLICIT DRUG USE IN THE STATE AND**  
20 **ASSOCIATED CRIME STATISTICS.**

21           **(2) THE COMMISSION MAY PROVIDE TO THE GENERAL FUND ANY**  
22 **FUNDS RECEIVED THAT EXCEED THE AMOUNT OF FUNDING NEEDED TO FULFILL**  
23 **ITS DUTIES UNDER THIS SUBTITLE THAT REMAIN AFTER DISBURSEMENTS ARE**  
24 **MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

25           SECTION 3. AND BE IT FURTHER ENACTED, That the terms of the initial  
26 appointed members of the Medical Marijuana Oversight Commission, established  
27 under Section 2 of this Act, shall expire as follows:

28                   (1) three members in 2014;

29                   (2) three members in 2015; and

30                   (3) three members in 2016.

1           SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency  
2 measure, is necessary for the immediate preservation of the public health or safety,  
3 has been passed by a yea and nay vote supported by three-fifths of all the members  
4 elected to each of the two Houses of the General Assembly, and shall take effect from  
5 the date it is enacted.